

NOTICE OF COMPLIANCE/NON-COMPLIANCE

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

Division of Environment
Waste Management Program

Initial Inspection: Yes ☒ No ☐ Follow-up Inspection: Yes ☐ No ☐ Complaint: Yes ☐ No ☐
 Hazardous Waste: LDF() TSF(☒) GEN(☒) KG() SQ() UNV() NOT A GEN() OTHER()
 Used Oil: UOG() UOT() UOM() UOP() UOB()
 Solid Waste: SLF() TRS() CDL() ILF() YWC() SWP() HHW() OBS() MTP() WTM() WTP() WTR() WTT()

TO: Clean Harbors Kansas LLC 03/18/08
2549 N. New York Wichita Ks. 67219-4322 Sedgwick
 Address City State Zip Code County

KSD007246846

EPA Identification No.

Solid Waste Permit No.

This inspection was conducted to determine compliance with the state and federal solid and/or hazardous waste statutes and regulations.

☒ Violations As Follows☐ No Violations Identified

Citation

Description of Violation

1. 40CFR 264.175(b) Concrete berm around drums was broken
Permit (Exception D-26)(1) In the secondary containment area, Building C.
265.175(b)(1)

☒ Other Comments/Concerns:

Rainwater has entered Building I through a leaking roof and
Natural gas leak noted in Building I, which is empty building.
The satellite drum lid for hazardous waste PPE is bent and should be
replaced.

This notice is provided to call immediate attention to those areas of non-compliance. This notice does not constitute a compliance order issued by KDHE and may not be a complete listing of all violations which may be identified as a result of this inspection. Your facility must submit in writing within 14 days of receipt of this notice a description of all corrective actions taken. Any corrective actions taken by your facility will be considered in subsequent enforcement follow-up.

Your response must be submitted to:

Karen Schmidt
 Kansas Department of Health and Environment
 Northwest District Office
 Waste Management Program
 2301 E. 13th
 Hays, Kansas 67601-2651

If you have any questions concerning this Notice or wish to discuss your response, you may call me at (785) 625-5663 or Bureau of Waste Management in the Topeka office at (785) 296-1600.

This Notice was prepared by:

Karen S. SchmidtDate 03/18/08

I, the undersigned hereby acknowledge that I have received and read this Notice.

Printed Name James Matthew NobleSignature James Matthew NobleTitle Plant Facility ManagerDate 3/18/08



KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

BUREAU OF WASTE MANAGEMENT
BUREAU OF ENVIRONMENTAL FIELD SERVICES



COMPLIANCE INSPECTION CHECKLIST HAZARDOUS WASTE COVER PAGE

General

☒ Routine

☐ Complaint

EPA/ ID/Permit No. KSD 007 246 846 Time 9:00 a.m. Date 03-18-08

Facility Name CLEAN HARBORS KANSAS LLC District Southcentral

Street 2549 N. New York City Wichita ,KS ZIP 67219-4322

Mailing Address (if different than above) _____

County Sedgwick Number of Employees 11

Phone 316-269-7418 Fax 316-269-7455 e-mail _____

Contact(s) Mathew Noble, Plant Facility Manager & Keith Anderson, Clean Harbors North Carolina
Inspector(s) Karen S. Schmidt, NWDO Lead Inspector with Tracey Pulkrabek, SCDO Inspector-in -
Training.

Type of Business Hazardous waste 10-day storage facility: Truck-to-Truck Transfer.

Operating Hours and Days M-F 8:00-5:00

Lat/Long Location Method: _____ Lat/Long Location Feature: _____

Latitude: (e.g. 37.57621) _____ Longitude: (e.g. -101.57621) _____

Has the Lat/Long been entered in the SW database? Yes ☐ No ☒

Hazardous Waste Inspection: ☒ Yes ☐ No

Generator Classification: ☐ Closed/Inactive ☐ Small Qty. Generator ☒ EPA Generator
☐ Not a Generator ☐ Kansas Generator ☐ Transporter

Other Regulated Activities: ☒ T/S/D Facility ☐ Tank System ☐ Subpart BB
(complete applicable checklist) ☐ Universal Waste Activities

Has the company declared any information/processes as trade secrets KSA 65-3447? NO.

If yes, explain: _____

If facility is closed/inactive, or has recently moved please provide a brief description. _____

Used Oil Activities: ☐ Yes ☒ No

Does the facility have a total above-ground storage capacity of used oil (excluding containers less than 55-gallons) of more than 1,320 gallons? ☐ Yes ☐ No

If yes, then the facility is subject to SPCC requirements due to used oil activities.

Facility Used Oil Activities (Attach a checklist for each one marked):

☐ Generator ☐ Collection Center / Aggregation Point
☐ Transporter / Transfer Facility ☐ Used Oil Processor / Re-Refiner
☐ Used Oil Burner (Off-Spec Fuel) ☐ Used Oil Marketer

Attach all applicable checklists.

HAZARDOUS WASTE GENERATOR COMPLIANCE INSPECTION CHECKLIST

WASTE STREAM TABLE

(List all hazardous wastes first, followed by solid wastes.)

Waste Description or Process	Hazardous Waste Codes (or universal, recycled, exempt, or non-hazardous)	Waste Determination Method (process knowledge or analytical data)	Waste Amount Generated Per Month	Waste Amount Presently in Storage	Oldest Accumulation Start Date	Present Waste Disposal Location (name of TSDF, MSWLF, recycler, etc.)
Precipitation collected in sump located in the Process Area	All the D Codes except D001/D002/D003/D009	Process Knowledge	Varies based upon precipitation events	None	NA	Clean Harbors
Personal Protection Equipment (PPE) Waste	All D waste codes except D001/D002/D003/D009 and F001 thru F005 waste codes	Process Knowledge	55 gallons/8 weeks	Seven 55-gallon drums	06-23-07	Clean Harbors
One time generation of boiler scale	D002	Analytical	110 gallons	110 gallons	August, 2007	Kimball, NE. to be blended for incineration
Laboratory Wastes from onsite laboratory	All D waste codes and F001 thru F005 waste codes	Process Knowledge	None in last two years	None	NA	Clean Harbors
Fluorescent Lamps	Universal Waste	Process Knowledge	Varies: 60 lamps/9 months	Two boxes of lamps: one box contains 8 feet long lamps and another box contains 4 feet long lamps: total 60 lamps	July 1, 2007	Clean Harbors

HAZARDOUS WASTE GENERATOR COMPLIANCE INSPECTION CHECKLIST

WASTE STREAM TABLE

Waste Description or Process	Hazardous Waste Codes (or universal, recycled, exempt, or non-hazardous)	Waste Determination Method (process knowledge or analytical data)	Waste Amount Generated Per Month	Waste Amount Presently in Storage	Oldest Accumulation Start Date	Present Waste Disposal Location (name of TSDF, MSWLF, recycler, etc.)
Monitoring well drilling and sampling waste	Nonhazardous	Process Knowledge	Varies: recently 12 55-gallon drums of soil and 6 55-gallon drums of water	None	NA	Landfilled in Lone Mountain, OK.
Trash: office paper, food containers, paper towels from restrooms, bubble gum	Nonhazardous	Process Knowledge	About 1/3 full of one 5 cubic yard dumpster/week	About 1/3 full	One week	City of Wichita

**HAZARDOUS WASTE T/S/D FACILITY
COMPLIANCE INSPECTION CHECKLIST**

(NOTE: Permit conditions take precedence over requirements set forth in this checklist.)

General

EPA/ ID/Permit No. KSD 007 246 846 Time 9:00 a.m. Date 03-18-07

Name CLEAN HARBORS KANSAS LLC District SCDO

Street 2549 N. NEW YORK City WICHITA ,KS ZIP 67219

Mailing Address (if different than above) _____

County SEDGWICK Number of Employees 11

Phone 316-269-7498 Fax _____ e-mail _____

Contact(s) Mathew Nobel, Facility Plant Manger, & Keith Anderson, Supervisor Inspector(s) Karen S. Schmidt, Lead Inspector, NWDO, and Tracey Pulkrabek, Inspector-in-Training, SCDO.

Type of Business Hazardous Waste 10-Day Truck-To-Truck (TTT) Transfer Facility

Operating Hours and Days 8:00 a.m.--5:00 p.m. Monday-Friday

Has the company declared any information/process as trade secrets (KSA 65-3447)? **NO.**
If yes, explain:

Activity at Site

Treatment

☐ Chem/Phys/Bio Treatment
☐ Containment Building
☐ Filtration

☐ Incineration
☐ Recycling/Recovery
☐ Reprocessing

☐ Thermal Treatment
☐ Volume Reduction
☐ Other

Storage

☐ Containment Building
☒ Drums
☐ Pile

☐ Surface Impoundment
☐ Tank(s) (complete applicable checklist) **Deactivated**
☒ Other

Disposal

☐ Deep Well Injection
☐ Incineration

☐ Landfill
☐ Land Treatment

☐ Surface Impoundment
☐ Other

Comments: Facility is permitted as a 10 day storage facility.

Waste Analysis Plan (DGS)

- | | YES | NO | NA |
|---|-------------------------------------|--------------------------|--------------------------|
| 1. Does facility maintain a copy of its waste analysis plan at the facility?
[264.13(b)/265.13(b)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. If yes, does the plan include: | | | |
| A. Parameters for which each hazardous waste will be analyzed and rationale for the selection of these parameters? [(264.13(b)(1)/265.13(b)(1))] | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| B. Test methods which are used to test for these parameters?
[264.13(b)(2)/265.13(b)(2)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| C. Sampling method used to obtain sample? [264.13(b)(3)/265.13(b)(3)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| D. Frequency with which the initial analysis will be reviewed or repeated to ensure the analysis is current? [264.13(b)(4)/265.13(b)(4)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| E. For off-site facilities, the waste analyses that generators have agreed to supply? [264.13(b)(5)/265.13(b)(5)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| F. For off-site facilities, the procedures which are used to inspect and analyze each movement of hazardous waste received to ensure that it matches the identity of the waste designated on the manifest?
[264.13(c)/265.13(c)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Waste Analysis Plan Requirements:☒ **Compliance**☐ **Non-compliance**☐ **NA****Security (DGS)**

- | | | |
|--|-------------------------------------|-------------------------------------|
| 2. Does the facility consider itself exempt from the security requirements as provided in 264.14(a)(1)&(2)/265.14(a)(1)&(2)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If no, | | |
| a. Does the facility provide either of the following: | | |
| A. A 24-hour surveillance system (TV monitoring or guards)?
[264.14(b)(1)/265.14(b)(1)]; OR | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. An artificial or natural barrier (fence, fence and cliff combination) <u>and</u> a means to control entry (attendant, TV monitoring, locked entrance, controlled roadway access)? [264.14(b)(2)/265.14(b)(2)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Has the facility posted warning signs at each entrance to the active portion of the facility, and at other locations, in sufficient numbers to be seen from any approach to the active portion? [264.14(c)/265.14(c)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Security Requirements:☒ **Compliance**☐ **Non-Compliance**☐ **NA****General Inspection Requirements (DGS)**

- | | | |
|---|-------------------------------------|--------------------------|
| 3. Does the owner/operator follow a written schedule at the facility for inspecting monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment? [264.15(b)(1)/265.15(b)(1)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Does the owner/operator keep the written inspection schedule at the facility? [264.15(b)(2)/265.15(b)(2)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Does the written inspection schedule identify the types of problems which are to be looked for during the inspections? [264.15(b)(3)/265.15(b)(3)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Does the owner/operator remedy any deterioration or malfunction of equipment or structures noted during the inspection? [264.15(c)/265.15(c)] | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

7. Does the owner/operator record inspections in an inspection log or summary which contains the date and time of inspection, name of inspector, notation of observations, and the date and nature of remedial action? [264.15(d)/265.15(d)] ☒ ☐ ☐

Inspection Requirements: ☒ Compliance ☐ Non-Compliance ☐ NA

Personnel Training (DGS)

8. Does the owner/operator maintain, at the facility, the following documents and records: [264.16/265.16]
- a. Job title for each position related to hazardous waste management and the name of the employee filling each job? [264.16(d)(1)/265.16(d)(1)] ☒ ☐
 - b. Written job description for each position? [264.16(d)(2)/265.16(d)(2)] ☒ ☐
 - c. Written description of type and amount of training to be given each person? [264.16(d)(3)/265.16(d)(3)] ☒ ☐
 - d. Records of training given to facility personnel? [264.16(d)(4)/265.16(d)(4)] ☒ ☐

Personnel Training Requirements: ☒ Compliance ☐ Non-Compliance ☐ NA

Requirements for Ignitable, Reactive, or Incompatible Wastes (DGS)

9. Does the facility handle ignitable or reactive wastes? [264.17(a)/265.17(a)] ☒ ☐
- If yes,
- a. Is the waste separated and confined from sources of ignition or reaction, sparks, spontaneous ignition and radiant heat? [264.17(a)/265.17(a)] ☒ ☐
 - b. Are smoking and open flames confined to specially designated locations? [264.17(a)/265.17(a)] ☒ ☐
 - c. Are "No Smoking" signs posted in hazard areas? [264.17(a)/265.17(a)] ☒ ☐
 - d. Does a check of the areas used to handle ignitable or reactive wastes show:
 - A. Evidence of heat generation from interaction of incompatible wastes? [264.17(b)(1)/265.17(b)(1)] ☐ ☒
 - B. Evidence of uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment? [264.17(b)(2)/265.17(b)(2)] ☐ ☒
 - C. Evidence of uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosion? [264.17(b)(3)/265.17(b)(3)] ☐ ☒
 - D. Evidence of any leakage from or corrosion of containers? [264.17(b)(4)/265.17(b)(4)] ☐ ☒
10. For permitted facilities only, when required to comply with paragraph (a) or (b) of 264.17/265.17, has the owner/operator documented that compliance? [264.17(c)] ☒ ☐

Ignitable, Reactive, or Incompatible Waste Requirements: ☒ Compliance ☐ Non-Compliance ☐ NA

Preparedness and Prevention (DPP)

11. Does an inspection of the facility show any evidence of fire, explosion, or contamination? [264.31/265.31] ☐ ☒

12. If applicable to the facility, is the facility equipped with:
- a. Internal communication or alarm system easily accessible in case of emergency? [264.32(a)/265.32(a)] ☒ ☐ ☐
 - b. Telephone or hand-held two-way radio capable of summoning emergency response assistance from local police departments, fire departments, or State or local emergency response teams? [264.32(b)/265.32(b)] ☒ ☐ ☐
 - c. Portable fire extinguishers, fire control, spill control equipment, and decontamination equipment? [264.32(c)/265.32(c)] ☒ ☐ ☐
 - d. Water of adequate volume for hose streams, foam producing equipment, sprinklers, etc? [264.32(d)/265.32(d)] ☒ ☐ ☐
13. Is the equipment (mentioned above) tested and maintained to ensure its proper operation? [264.33/265.33] ☒ ☐ ☐
14. Whenever hazardous waste is being poured, mixed, spread, or otherwise handled:
- a. Do all personnel involved in the hazardous waste activity have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee? [264.34(a)/265.34(a)] ☐ ☒ ☐
 - b. Does an employee who is alone on the premises while the facility is operating have immediate access to a device capable of summoning external emergency assistance? [264.34(b)/265.34(b)] ☒ ☐ ☐
15. Does a check of the facility show sufficient aisle space to allow unobstructed movement of personnel and equipment? [264.35/265.35] ☒ ☐ ☐
16. As appropriate for the type(s) of waste handled, has the owner/operator:
- a. Made arrangements with the local emergency authorities to familiarize them with the layout of the facility, properties of wastes handled and associated hazards, places where facility personnel normally work, entrances to roads inside the facility, and possible evacuation routes? [264.37(a)(1)/265.37(a)(1)] ☐ ☒ ☐
 - b. Designated one primary authority in areas where more than one police and fire department might respond? [264.37(a)(2)/265.37(a)(2)] ☒ ☐ ☐
 - c. Made agreements with state emergency response teams, emergency response contractors, and equipment suppliers? [264.37(a)(3)/265.37(a)(3)] ☒ ☐ ☐
 - d. Familiarized local hospitals, with the properties of hazardous waste(s) handled and types of injuries that could result from fires, explosions, or releases at the facility? [264.37(a)(4)/265.37(a)(4)] ☒ ☐ ☐
17. In cases where state or local authorities decline to enter into such arrangements, is the refusal entered in the operating record? [264.37(b)/265.37(b)] ☐ ☐ ☒

Preparedness and Prevention**Requirements:**☒ Compliance ☐ Non-Compliance ☐ NA**Contingency Plan and Emergency Procedures (DCP)**

18. Is a contingency plan maintained at the facility and have copies been provided to outside agencies that may be called upon to provide emergency services? [264.53(a)/265.53(a)] ☒ ☐
- a. If yes, does the plan:
- A. Describe emergency actions facility personnel must take to respond to fires, explosions, or releases of hazardous waste? [264.52(a)/265.52(a)] ☒ ☐

- B. Describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams? [264.52(c)/265.52(c)] ☒ ☐ ☐
- C. List the name(s), home address(es), and phone number(s) of designated emergency coordinator(s) in the order in which they should be contacted? [264.52(d)/265.52(d)] ☒ ☐ ☐
- D. Include a list of all emergency equipment at the facility, its location, a physical description of each item on the list, and a brief outline of its capabilities? [264.52(e)/265.52(e)] ☒ ☐ ☐
- E. Include an evacuation plan for facility personnel that describes signals and evacuation routes? [264.52(f)/265.52(f)] ☒ ☐ ☐
19. Is an emergency coordinator available at all times? [264.55/265.55] ☒ ☐ ☐
20. Has implementation of the plan been required at the facility? ☐ ☒ ☐
- a. If yes, was the facility required to submit a written report on the incident to the KDHE? ☐ ☐ ☐
- A. If yes, was the written report submitted? [264.56(j)/265.56(j)] ☐ ☐ ☐

**Contingency Plan and Emergency
Procedures Requirements:**

☒ Compliance

☐ Non-Compliance

☐ NA

Manifest System, Recordkeeping, and Reporting (DMR)

21. Does the facility receive waste from off-site? [264.71/265.71] ☒ ☐ ☐
- a. If yes, does the owner/operator:
- A. Sign and date each copy of the manifest? [264.71(a)(1)/265.71(a)(1)] ☒ ☐ ☐
- B. Note any significant discrepancies in the manifest on each copy of the manifest? [264.71(a)(2)/265.71(a)(2)] ☒ ☐ ☐
- C. Give a signed copy to the transporter? [264.71(a)(3)/265.71(a)(3)] ☒ ☐ ☐
- D. Send a signed copy of the manifest to the generator within 30 days of the delivery? [264.71(a)(4)/265.71(a)(4)] ☒ ☐ ☐
- E. Retain a copy of the manifest for at least three years from the date of delivery? [264.71(a)(5)/265.71(a)(5)] ☒ ☐ ☐
22. Does the facility receive any waste from a rail or water (bulk shipment transporter)? ☐ ☒ ☐
- a. If yes, is the shipment accompanied by a manifest or shipping paper containing the appropriate information? [264.71(b)/265.71(b)] ☐ ☐ ☐
- If yes, does the owner/operator:
- A. Does the owner/operator sign and date the shipping paper? [264.71(b)/265.71(b)] ☐ ☐ ☐
- B. Note any significant discrepancies in the shipping paper? [264.71(b)(2)/265.71(b)(2)] ☐ ☐ ☐
- C. Immediately give the rail or water transporter at least one copy of the shipping paper? [264.71(b)(3)/265.71(b)(3)] ☐ ☐ ☐
- D. Send a signed copy of the shipping paper to the generator within 30 days of the delivery? [264.71(b)(4)/265.71(b)(4)] ☐ ☐ ☐
- C. Retain a copy of the shipping paper? [264.71(b)(5)/265.71(b)(5)] ☐ ☐ ☐
23. Has the facility received any shipments of waste that were inconsistent with the manifest? [264.72/265.72] ☒ ☐ ☐
- a. If yes, was an attempt made to reconcile the discrepancy with the generator and transporter? [264.72(b)/265.72(b)] ☒ ☐ ☐

	YES	NO	NA
A. If the discrepancy was not reconciled within 15 days, did the owner/operator immediately notify the KDHE? [264.72(b)/265.72(b)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
24. Does the owner/operator keep a written operating record at the facility? [264.73(a)/265.73(a)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. If yes, does the operating record include:			
A. A description and the quantity of each hazardous waste received, and method(s) and date(s) of its treatment, storage, and disposal? [264.73(b)(1)/265.73(b)(1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
B. The location of each hazardous waste within the facility and the quantity at each location? [264.73(b)(2)/265.73(b)(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
C. Records and results of waste analyses and waste determinations? [264.73(b)(3)/265.73(b)(3)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
D. Reports and details of incidents requiring implementation of the contingency plan? [264.73(b)(4)/265.73(b)(4)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
E. Records and results of required inspections? [264.73(b)(5)/265.73(b)(5)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
F. Monitoring, testing, or analytical data? [264.73(b)(6)/265.73(b)(6)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
G. Notices to generators that the facility has the appropriate permit(s) for and will accept the waste the generator is shipping? [264.73(b)(7)/265.73(b)(7)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
H. Closure cost estimates (and for disposal facilities, post-closure cost estimates)? [264.73(b)(8)/265.73(b)(8)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
I. Certification by the permittee, at least annually, that a hazardous waste minimization program is in place at the facility? [264.73(b)(9)/265.73(b)(9)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
J. As applicable, documentation that the Land Disposal Requirements have been met? [264.73(b)(10-16)/265.73(b)(10-16)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25. Does the owner/operator prepare and submit a copy of a biennial report to the KDHE by March 1 of each even numbered year? [264.75/265.75]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. If yes, does the report include:			
A. The EPA identification number, name, and address of the facility? [264.75(a)/265.75(a)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
B. The calendar year covered by the report? [264.75(b)/265.75(b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
C. A description and the quantity of each hazardous waste received during the year? [264.75(d)/265.75(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
D. The method of treatment, storage, or disposal for each hazardous waste? [264.75(e)/265.75(e)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
E. The most recent cost estimate and, as applicable, the most recent post-closure cost estimate? [264.75(g)/265.75(g)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. If yes and the facility receives waste from off-site facilities, does the report include:			
A. The EPA identification number of each hazardous waste generator from which the facility received a hazardous waste during the year? [264.75(c)/265.75(c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. A description and the quantity, listed by the EPA identification number of each generator, of each hazardous waste received during the year? [264.75(d)/265.75(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. If yes and the facility receives shipments from foreign generators, does the report include the name and address of the foreign generators? [264.75(c)/265.75(c)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. If yes and the facility is also a generator who treats, stores, and/or disposes of hazardous waste on-site, does the report include a description of:			
A. The efforts undertaken during the year to reduce the volume and toxicity of waste generated? [264.75(h)/265.75(h)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. The changes in volume and toxicity of waste actually achieved during the year in comparison to previous years? [264.75(i)/265.75(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

26. Has the facility accepted any waste not accompanied by a manifest or shipping papers? ☐ ☒
- a. If yes, was the shipment excluded from manifest/shipping paper requirements? ☐ ☐
- A. If no, did the facility submit an unmanifested waste report to the KDHE within 15 days? [264.76/265.76] ☐ ☐

**Manifest System, Recordkeeping
and Reporting Requirements:**
☒ Compliance ☐ Non-Compliance ☐ NA

Closure and Post-Closure (DCL)

27. Does the owner/operator have a written closure plan for the facility? [264.112(a)/265.112(a)] ☒ ☐
- a. If yes, does the plan include:
- A. A description of how and when the facility will be closed? [265.112(b)/265.112(b)] ☒ ☐
- B. A description of the steps necessary to completely close the facility? [264.112(b)(2)/265.112(b)(2)] ☒ ☐
- C. An estimate of the maximum inventory of wastes in storage or in treatment at any give time during the facility life? [264.112(b)(3)/265.112(b)(3)] ☒ ☐
- D. A description of the steps needed to decontaminate facility equipment at the time of closure? [264.112.(b)(4)/265.112(b)(4)] ☒ ☐
- E. A description of the activities necessary to ensure that all closure satisfy the closure performance standards? [265.112(b)(5)/265.112(b)(5)] ☒ ☐
- F. An estimate of the expected year of closure and a schedule for final closure which includes the total time required to close the facility and the time required for intervening closure activities which allow tracking closure progress? [264.112(b)(6)/265.112(b)(6)] ☒ ☐
28. Is the facility a disposal facility? ☐ ☒
- a. If yes, does the owner/operator have a written post-closure plan? [264.118(a)/265.118(a)] ☐ ☐
- If yes, does the plan include:
- A. Ground-water monitoring activities and frequencies at which they will be performed? [264.118(c)(1)/265.118(c)(1)] ☐ ☐
- B. Maintenance activities and frequencies at which they will be performed to ensure the integrity of the cap and containment structures where applicable, and the function of the monitoring equipment? [264.118(c)(2)/265.118(c)(2)] ☐ ☐
- C. The name, address, and phone number of the person or office to contact during the post-closure period? [264.118(c)(3)/265.118(c)(3)] ☐ ☐

Closure and Post-closure Requirements:
☒ Compliance ☐ Non-Compliance ☐ NA

Financial Requirements (DFR)

29. Does the owner/operator have a written estimate of the closure cost? [264.142(a)/265.142(a)] ☒ ☐
30. Has the owner/operator established financial assurance for facility closure and notified the KDHE? [264.143/265.143] ☒ ☐

31. Is the facility a disposal facility? [] [X]
- a. If yes, has the owner/operator:
- A. Established a written estimate of the annual cost of post-closure monitoring and maintenance of the facility? [264.144(a)/265.144(a)] [] []
- B. Established financial assurance for post-closure care and notified the KDHE? [264.145/265.145] [] []
- C. Obtained liability insurance for nonsudden and accident occurrences of at least \$3 million per occurrence with an annual aggregate of at least \$6 million exclusive of legal defense costs? [264.147(b)/265.147(b)] [] []
32. Has the owner/operator obtained liability insurance for sudden occurrences of at least \$1 million with an aggregate of at least \$2 million exclusive of legal defense costs? [264.147(a)/265.147(a)] [X] []

Financial Requirements:**[X] Compliance****[] Non-Compliance****[] NA****Management of Containers (DMC)**

33. Are containers presently used to store hazardous waste? [X] []
- If yes,
- a. Are the containers in good condition? [264.171/265.171] [X] []
- b. Are the containers compatible with the waste? [264.172/265.172] [X] []
- c. Are all containers holding hazardous waste closed during storage except when necessary to add or remove waste? [264.173/265.173] [X] []
- d. Does owner/operator inspect areas where containers are stored, at least weekly, for signs of leaking containers and for deterioration of the containers and containment system caused by corrosion or other factors? [264.174/265.174] [X] []
- e. Does the storage facility store waste containing free liquids which would require it to have a containment system? [264.174/265.174] [X] []
- If yes,
- A. **Is the base free of cracks or gaps and sufficiently impervious to contain leaks, spills, and accumulated precipitation? [264.175(b)(1)/265.175(b)(1)]** [] [X]
- B. Is the base sloped or the containment system otherwise designed and operated to drain and removed liquids? [264.175(b)(2)/265.175(b)(2)] [X] []
- C. Does the containment system have sufficient capacity to contain 10% of the volume of containers or the volume of the largest container, whichever is greater? [264.175(b)(3)/265.175(b)(3)] [X] []
- D. Is the containment system designed to prevent run-on or to have sufficient excess capacity in addition to that required in item C above? [264.175(b)(4)/265.175(b)(4)] [X] []
- E. Are spilled or leaked waste and accumulated precipitation removed in a timely manner as necessary to prevent overflow of the system? [264.175(b)(5)/265.175(b)(5)] X [] []
- f. Does the storage area store containers holding only wastes that do not contain free liquids? [X] []
- If yes,
- A. Are the containment system requirements of 264.175(b)/265.175(b) met? [X] []
- If no,
- i. Is the storage area sloped or otherwise designed and operated to drain and remove liquid resulting from precipitation? [264.175(c)(1)/265.175(c)(1)]; OR [X] []
- ii. Are the containers elevated or otherwise protected from contact with accumulated liquid? [264.175(c)(2)/265.175(c)(2)] [X] []

YES NO NA

- g. Are containers holding ignitable or reactive waste located at least 50 feet from the facility's property line? [264.176/265.176]
- h. If waste in containers is incompatible with other materials stored nearby, in other containers, piles, open tanks, or surface impoundments, are the containers separated from other materials by means of a dike, berm, wall, or other device? [264.177(c)/265.177(c)]

☒ ☐

☐ ☐ ☒

Management of Containers:

☐ Compliance

☒ Non-Compliance

☐ NA

TSDf checklist converted 03/21/07 from Word Perfect document - TSD Checklist Revised 9/98

Additional Information and Conclusions:

Refer to attached RCRA generator summary.

KDHE RCRA Compliance Evaluation Inspection Summary

CLEAN HARBORS KANSAS LLC.

**2549 North New York
Wichita, Kansas 67219-4322**

EPA ID #: KSD 007 246 846

Inspection Date: March 18, 2008

KDHE INSPECTORS

**Karen S. Schmidt, Lead Inspector
Bureau of Environmental Field Services
Northwest District Office, and
Tracey Pulkrabek, Inspector-in-Training
Bureau of Environmental Field Services
Southcentral District Office**

1.0 INTRODUCTION

On Tuesday, March 18, 2008 Tracey Pulkrabek, Inspector-in-Training from the Southcentral District office, and I conducted a routine compliance inspection at the facility referenced above to determine compliance with the State of Kansas waste regulations. The focus of the inspection was to identify types of wastes generated, points of waste generation, methods of waste management, and review relevant documents. This inspection was conducted under the authority of Kansas Administrative Regulation (K.A.R.) 28-31-12.

Prior to the inspection, I contacted Akhter Hossain, Ph.D., P.E. Kansas Department of Health and Environment (KDHE) Bureau of Waste Management (BWM) permit writer in Topeka and Ms. Chris Jump, United States Environmental Protection Agency (USEPA). Neither Mr. Hossain nor Ms. Jump was able to be present during the inspection.

The facility is a permitted Treatment/Storage/Disposal/Facility (TSDF) for hazardous waste. Specifically, the facility is a 10-day hazardous waste storage facility for Truck-To-Truck transfer (TTT). Hazardous wastes arrive onsite by truck, usually in 55-gallon drums, or, sometimes by tanker truck. The drums are processed, bar coded, and shipped off-site within 10 days to another TSD for either disposal or for additional shipment to another TSD. The facility is also an EPA Generator, generating more than 2,200 pounds of hazardous waste in any one month. The facility is allowed to store their generated hazardous wastes for up to one year onsite.

Clean Harbors Kansas, LLC. is operating under a RCRA permit dated March 29, 1995. The RCRA Permit Renewal Application Parts A & B were

submitted to KDHE on October 8, 2004. The permit for this facility expired on April 7, 2005. However, since the KDHE received a renewal application dated October 8, 2004, the permit and all permit conditions remain in effect until a new permit is issued.

The site has been owned and operated by other companies for a variety of industrial uses over the last 60 years. Industrial uses ranged from manufacturing paints, fuel blending, bulk fuel storage and solvent reclamation, acid repackaging, distribution of industrial chemicals, treatment and storage of hazardous wastes.

Clean Harbors Kansas LLC., is approximately six acres in size, and is split by 25th Street into an east area (North Plant) and a west area (South Plant). There are 10 buildings at the site labeled Buildings A through K, as well as a Processing Area and Drum Dock that are open areas covered by a roof. Buildings A, E, F and G are used for offices, administration, and personnel decontamination and break rooms. Buildings B, C, and D in the west area and Buildings I and J in the east area are or have been used for various hazardous waste management operations. Buildings H and K are used as operations offices, laboratory, and mechanical equipment respectively. Operations for waste fuel blending for kiln fuel and solids removal and solvent distillation have ceased.

The facility is fully fenced by a six foot high chain link fence. Locked gates and doors control access. The facility operates between 8:00 a.m and 5:00 p.m. Refer to site map in **Attachment A**.

2.0 CHANGES SINCE PREVIOUS INSPECTION:

No changes have occurred since the last inspection conducted on February 27, 2007.

3.0 PREVIOUS VIOLATIONS

Karen S. Schmidt

February 27, 2007

1. K.A.R. 28-31-4(g)(2): Failure to mark accumulation start date on five 55-gallon drums of hazardous waste sump water.

This was corrected on the day of the inspection.

2. K.A.R. 28-3-4(g)(1)(A): Failure to conduct a thorough weekly container inspection of the five drums of hazardous waste sump water.

Debbie Travis

June 19 through June 20, 2006

1. Permit Section II.F/40 CFR 265.16/40 CFR 264.16: Failure to comply with personnel training per the permit. Hazardous waste training had not been conducted for over 15 months.

Debbie Travis

August 11, 2005

1. K.A.R. 28-31-4(g)(2): Failure to mark or label a storage drum with an accumulation start date, and

2. Permit Part I, Section III. E. /40CFR264, subpart I: Failure to manage a storage container properly.

Debbie Travis and Stephanie Fackrell September 23, 2003

Twelve violations were cited and corrected: failure to determine if the liquid or the materials are hazardous, failure to maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste constituents to the air, soil, or surface water which could threaten human health or the environment, failure to document the required information on 45 inspection logs, failure to provide hazardous waste training, failure to provide copies of the Contingency Plan to outside agencies, failure to update the emergency coordinator documented in the Contingency Plan, failure to have a trained emergency coordinator available at all times in case of an emergency, failure to comply with the following manifest requirements, failure to manage incompatible wastes in accordance with the procedures in Special Requirements for Incompatible Wastes, failure to properly handle a hazardous waste storage container that is not in good condition, failure to inspect tank V-1 on 11/2/02 and 11/3/02, and failure to maintain the roof of Building D and adequate TSD staffing.

3.0 INSPECTION:

Ms. Pulkrabek and I arrived at the facility at 9:00 a.m. We met with Mr. James Mathew (Mat) Noble, 8 years with Clean Harbors and one week as Facility Plant Manager, & Keith Anderson, Director of Plant Operations, Clean Harbors, Reidsville, North Carolina. Coincidentally, Mr. Anderson had arrived at the facility the previous day and was going to stay all week inspecting the plant, determining what repairs were needed, review compliance and enforcement issues, and get to know Mr. Noble.

Mr. Noble and Mr. Anderson accompanied Ms. Pulkrabek and me on the inspection of the facility. The facility consists of buildings A, B, C, D, E, H, I, J, K, an inoperable processing area and the drum dock area. Many of the buildings were empty, but they all contained the required safety equipment. BWM Permitting granted Clean Harbors request to deactivate buildings B, D, I, and J. Deactivation of the buildings began on January 3, 2006 and was completed in

August 2006. Building inspections have switched from daily to weekly inspections, per their permit requirements. The purpose of the weekly inspections is to confirm that no waste is in the buildings.

BUILDINGS ONSITE

Building A

This building is currently storing office equipment.

Building B

This building is currently empty and deactivated.

Process Area (Tank Processing Area)

Hazardous Waste Generation Point: The Process Area is situated east of Building C and is not in operation, **photos 1 & 2**. The Process Area is a tanker truck storage area used for overnight parking of tanker trucks of hazardous waste. At one time, hazardous wastes were offloaded into hazardous waste storage tanks and the hazardous waste was processed. There are ten storage tanks and an inoperable drum-cleaning unit. All of the former hazardous waste tanks have been deactivated. **Photos 3 & 4** depict some of the overhead deactivated tanks located in the adjacent Building D.

The concrete lined parking area located under the roof in the Process Area is designed so that all precipitation is collected in a below ground concrete containment area in the center of the parking area, **Photo 5**. The accumulated precipitation is referred to in this report as the **sump water**. The sump water is pumped out as soon as the containment area is full, collected in 55-gallon metal drums and stored in Building C. On the day of the inspection, Clean Harbors was storing 7 drums of waste sump water. Clean Harbors uses knowledge of process and labels the accumulated sump water as hazardous waste. Clean Harbor applies all characteristic waste codes except for waste codes D001/D002/D003/D009 and applies waste codes F001 through F005 to the sump water. The frequency of the wastewater generated varies with the precipitation events.

Building C: Permitted Hazardous Waste Storage Area

Drum Dock Area: The Drum Dock is made up of one area which is diked to provide secondary containment. The secondary containment is constructed of concrete and lined with a chemically resistant coating for added protection. Its overall size is approximately 94 feet long by 27 feet wide. Waste containers managed in the Drum Dock are palletized or equipped with skids during storage, or other wise managed to protect the outside walls of the containers from contact with accumulated liquids. The Drum Dock area consists of a metal awning attached to Building C, **photo 6**. Under the awning is where the 10-day storage drums are managed. Hazardous waste is brought to the dock, off-loaded,

processed, stored for less than 10-days, and then loaded for transport to a disposal facility. All hazardous waste containers are processed by being bar coded and tracked so as not to exceed the 10-day storage time. It takes 92 drums to make a full truckload.

Hazardous Waste Generation Point: Hazardous waste is generated in the Drum Dock area from personal protection equipment used in transferring the Truck-To-Truck (TTT) hazardous waste containers. The PPE becomes contaminated from loading and unloading the hazardous waste containers, **photos 7 & 8**. The satellite drum is also used to collect hazardous waste spill clean up and debris.

Inside Building C: Building C is permitted to store hazardous waste. Inside the building we observed segregated areas dedicated to different hazardous waste streams. Hazardous waste segregated storage areas are delineated by using bright yellow paint and concrete berms. On the day of the inspection, one of the berms was broken, **photos 8-10**. Refer to Part 5.0 Violation Summary of this report.

Building D

This building is currently empty and deactivated. There are eleven horizontal storage tanks mounted from the ceiling. The tanks have been cut open and are not currently in use.

Building E

This building houses the administrative offices for the facility.

Building H Laboratory

This building houses the laboratory. There was an empty satellite container in the laboratory. The laboratory is rarely used.

Building I

This building is currently empty and deactivated but the roof had leaked and rainwater had entered the building, **photos 12 & 13**.

Building J

This building is currently empty and deactivated.

Building K

This building is currently storing office equipment. The building is a non-permitted building.

4.0 Document Review

Mr. Nobel provided us with the requested documents for review. We reviewed the following documents: manifests, land disposal restriction notices

(LDRs), weekly and daily hazardous waste storage area inspection logs, material safety data sheets (MSDS), notification, analytical results, waste profiles, annual and biennial reports, personnel training records, and contingency plan.

No violations were identified during the inspection of the following regulatory areas:

- General and Notification Requirements – No problems were noted. The notification was recently amended March 14, 2008. It is current and correct. **Refer to Attachment B.**
- Pre-Transport Requirements - The TSDF provides the generator with preprinted hazardous waste labels.
- Storage Requirements
 - Emergency equipment was present and satisfactory. The fire extinguishers were last inspected in February 2008.
 - Weekly and daily hazardous waste inspection logs were on file and satisfactory. We reviewed past logs beginning March 1, 2007 through March 14, 2008.
 - *Storage requirements in Building C were inadequate in that one of the designated hazardous waste storage areas had a broken concrete berm (refer to Part 5.0 Violation Summary of this report).*
- Manifest Requirements - Manifests were on file and satisfactory. We reviewed past manifests beginning March 1, 2007 thru March 12, 2008.
- LDR Requirements - All LDR notices were satisfactory.
- Hazardous Waste Reporting Requirements:
 - Biennial Reports - Past biennial reports were on file and satisfactory.
 - Annual Reports and Fees - Past annual reports were on file and satisfactory. Annual monitoring fees paid are current.
- Preparedness and Prevention Requirements - All requirements were satisfactory.
- Personnel Training Requirements - Personnel training records were on file and satisfactory.
- Contingency Plan Requirements - The contingency plan was current and correct. Per KDHE/BWM Permit Engineer, Akhter Hossain's recommendation during last year's inspection, the facility has now filed the contingency plan at the entrance to the facility for easier access.

5.0 VIOLATION DISCUSSION:

Violation #1: 40 CFR 264.175(b)/265.175(b)(1)/Permit Section D-2(e)(1): Concrete berm around drums was broken in the secondary containment area, Building C, photos 9-11. Ms. Pulkrabek and I observed the east side of the concrete berm that surrounded 5 drums of hazardous waste and two cardboard tube containers of waste fluorescent lamps had been broken, **photo 9**. This berm also served as a berm for the west side of a cardboard box containing corrosive hazardous waste, **photos 9 & 10**. Mr. Noble stated that about two weeks ago an employee damaged the berm with his loader. Mr. Noble stated that he immediately took photos, telephoned the Compliance and Enforcement Supervisor, Lee Grater, and filed a work order. Mr. Noble stated that the work order has to move up the chain-of-command for approval prior to fixing the berm.

Mr. Noble provided documentation consisting of his email and work order sent to Mr. Lee Grater, Compliance and Enforcement. We reviewed a March 12, 2008 email to Mr. Grater stating *that Mr. Noble had uploaded about 50 photos and could be viewed*. We obtained a copy of the email during the inspection. Mr. Noble explained that he had photographed the broken berm and those photos were part of the 50 photos sent to Mr. Grater. During the inspection, Mr. Noble located the electronic work order but did not know how to open up the document. He stated he would find out how to open and print the document and would send me a copy.

On Thursday, March 27, 2008, Mr. Noble faxed to my office the electronic copy of the work order with the work order's history. **Refer to Attachment C.** *Note that the work order ticket # is 8356, dated March 11, 2008, and states that Cracked berm wall; needs to be repaired/patched.*

During the inspection Ms. Pulkrabek and I observed many bermed hazardous waste storage areas inside Building C that were empty. I asked Mr. Noble why he did not relocate the hazardous waste to another bermed area of Building C. Mr. Noble stated that he could relocate the containers immediately.

COMMENTS

- Rainwater has entered Building I through a leaking roof.
Mr. Anderson stated that is one of the reasons he was there to inspect the facility and determine what needs to be repaired. Mr. Nobel stated that the building's roof has leaked for several years but recently, with all the past years storms and precipitation, the roof has deteriorated rapidly. Mr. Anderson stated one of his goals is to determine the repair needs, make an assessment, and request the needed monies to make the repairs.
- Natural gas leak was noted in Building I.

Mr. Nobel stated that about one week earlier, Clean Harbors had the heater worked on by a contractor. Mr. Nobel thinks the contractor caused the leak. Mr. Nobel stated that he will contact the contractor to fix the leak.

- The lid on the satellite drum for hazardous waste PPE is bent and should be replaced. Ms. Pulkrabek and I observed one 55-gallon ½ full metal drum containing PPE waste such as gloves, respirators, and tyvek suits. The satellite drum is located on the dock's walk way. The satellite drum's metal lid was slightly bent and stained. I instructed Mr. Nobel to replace the lid. Mr. Noble agreed and stated that the facility had new metal lids onsite and could replace the lid by the end of the day.

6.0 EXIT INTERVIEW

Participants:

CLEAN HARBORS:

Mathew Nobel, Clean Harbors Plant Facility Manager
Kevin Anderson, Clean Harbors, North Carolina

KDHE:

Karen S. Schmidt, Lead Inspector, NWDO
Tracey Pulkrabek, Inspector-in-Training, SCDO

Ms. Pulkrabek and I met with Mr. Noble and Mr. Anderson to discuss the results of the inspection. I discussed the one violation and the three comments outlined on the Notice of Non-Compliance (NONC). Mr. Noble and Mr. Anderson had some questions concerning waste management resources. I provided both of them with the Bureau of Waste Management (BWM) website address and briefly explained some of the information available on the website. Mr. Noble was familiar with our website. At the conclusion of the exit conference, I provided Mr. Noble with a copy of the NONC with a 14-day compliance date. I informed Mr. Noble that additional violations could still be identified once the information gathered during the inspection had been reviewed.

7.0 LIST OF HANDOUTS PROVIDED TO FACILITY

The facility already had numerous copies of the regulations and handbooks given to them during last year's routine compliance inspection.

8.0 LIST OF ATTACHMENTS

Attachment A- Facility Site Map
Attachment B- Amended Notification
Attachment C- Copy of Email and Work Order
Photo Logs

9.0 SIGNATURE OF AUTHOR/INSPECTOR:

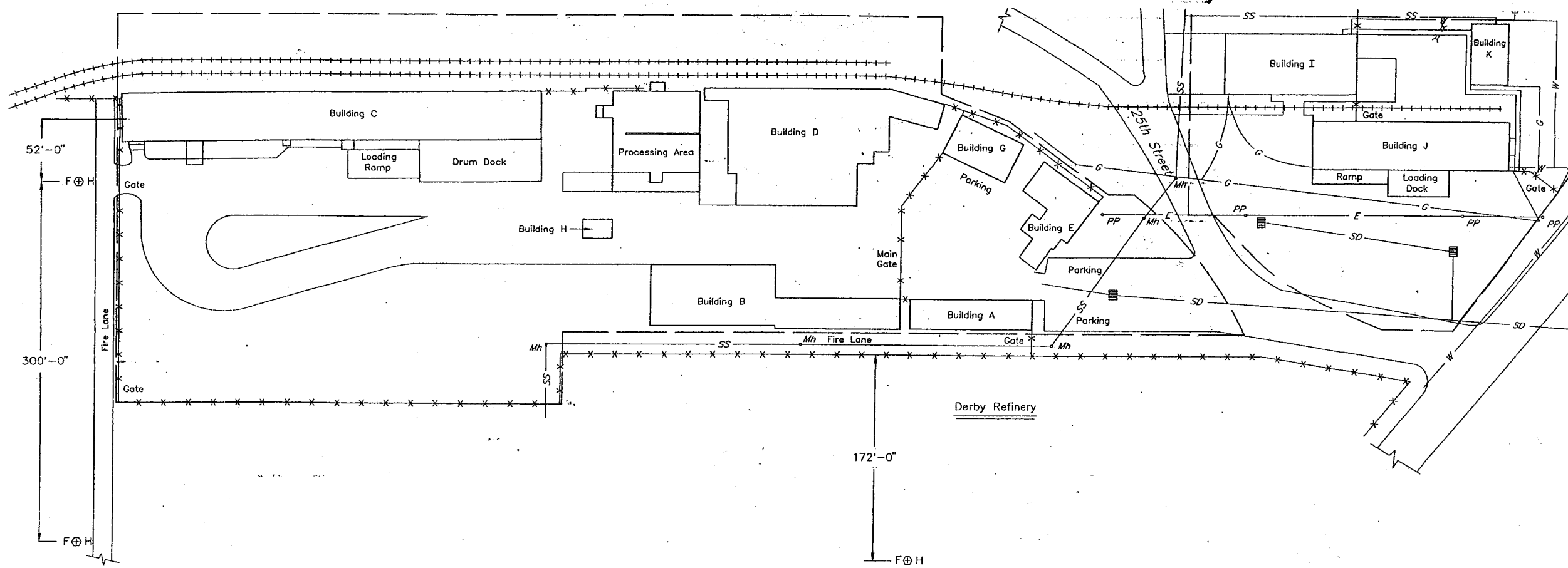
Karen S. Schmidt prepared this report along with Tracey Pulkrabek's electronic review of the findings:



Signature Lead Inspector

ATTACHMENT A

Facility Site Map



Building Legend

Building A	Laboratory/Administration
Building B	Hazardous Waste Management Building
Building C	Hazardous Waste Management Building
Building D	Hazardous Waste Management Building
Building E	Administration
Building G	Personnel Decon/Break Room
Building H	Operations Office
Building I	Hazardous Waste Management Building
Building J	Hazardous Waste Management Building
Building K	Mechanical Equipment Building
Processing Area	Hazardous Waste Management Area
Drum Dock	Hazardous Waste Management Area

Legend:


+++++	Railroad Tracks
-x-x-	Fence
---	Property Line
—SS—	Sewer
Mh	Manhole
F⊕H	Fire Hydrant

ATTACHMENT B

Copy of Amended Notification

MAIL COMPLETED 8700-12 FORM TO: KDHE-BWM 1000 SW Jackson, Suite 320, Topeka, KS 66612-1366	Kansas Department of Health and Environment Notification of Regulated Waste Activity for Kansas Treatment, Storage, and Disposal Facilities KANSAS FORM 8700-23 (RCRA SUBTITLE C SITE IDENTIFICATION FORM)		
1. Reason for Submittal (See page 4 of the instructions) MARK ALL BOX(ES) THAT APPLY	Reason for Submittal: <ul style="list-style-type: none"> • To provide Initial Notification of Regulated Waste Activity (to obtain an EPA ID Number) • To provide Subsequent Notification of Regulated Waste Activity (to update information) • As a component of a FIRST-Kansas RCRA Hazardous Waste Part A Permit Application <input checked="" type="checkbox"/> As a component of a REVISED-Kansas RCRA Hazardous Waste Part A Permit Application • As a component of the Hazardous Waste Report 		
2. Site EPA ID Number (See page 5 of the instructions)	EPA ID Number: KSD 007246846		
3. Site Name (See page 5 of the instructions)	Name: Clean Harbors Kansas, LLC		
4. Site Location Information (See page 5 of the instructions)	Street Address: 2549 North New York Avenue		
	City or Town: Wichita	State: KS	
	County Name: Sedgwick	Zip Code: 67219	
5. Site Land Type (See page 5 of the instructions)	Site Land Type: <input checked="" type="checkbox"/> Private • County • District • Federal • Indian • Municipal • State • Other		
6. North American Industry Classification System (NAICS) Code(s) for the Site (See page 5 of the instructions)	A. 562211		B.
	C.		D.
7. Site Mailing Address (See page 6 of the instructions)	Street or P.O. Box: 2549 North New York Avenue		
	City or Town: Wichita		
	State: KS		
	County: Sedgwick	Zip Code: 67219	
8. Site Contact Person (See page 6 of the instructions)	First Name: Leo		Last Name: Grater
	Phone Number & Extension: (316) 893-3520		Email Address: grater.leo@cleanharbors.com
9. Legal Owner and Operator of the Site (See page 6 of the instructions)	A. Name of Site's Legal Owner: Clean Harbors Environmental Services		Date Became Owner (mm/dd/yyyy): 09/06/2002
	Owner Type: <input checked="" type="checkbox"/> Private • County • District • Federal • Indian • Municipal • State • Other		

		B. Name of Site's Operator: Clean Harbors Environmental Services		Date Became Operator (mm/dd/yyyy): 09/06/2002	
		Operator Type: <input checked="" type="checkbox"/> Private • <input type="checkbox"/> County • <input type="checkbox"/> District • <input type="checkbox"/> Federal • <input type="checkbox"/> Indian • <input type="checkbox"/> Municipal <input type="checkbox"/> State • <input type="checkbox"/> Other			
10. Type of Regulated Waste Activity (Mark the appropriate boxes for activities that apply to your site. See pages 7-11 of the instructions)					
A. Hazardous Waste Activities					
1. Generator of Hazardous Waste (Choose only one of the following three classifications)			For Items 2 through 6, mark all that apply.		
<input checked="" type="checkbox"/> a. EPA: 1,000 kg/mo (2,200 lbs in any single mo.) or more of non-acute hazardous waste, greater than 1 kg of acute hazardous waste; or <input type="checkbox"/> b. KSG Sub-Class 1: 100 kg or more and less than 1,000 kg (220 - 2,200 lbs in any single mo.) of non-acute hazardous waste; or <input type="checkbox"/> b. KSG Sub-Class 2: 25 kg or more and less than 100 kg (55 - 220 lbs in any single mo.) of non-acute hazardous waste; or <input type="checkbox"/> c. SQG: Less than 25 kg/mo (55 lbs./mo.) of non-acute hazardous waste			<input type="checkbox"/> 2. Transporter of Hazardous Waste <input checked="" type="checkbox"/> 3. Treater, Storer, or Disposer of Hazardous Waste (at your site) Note: A hazardous waste permit is required for this activity. <input type="checkbox"/> 4. Recycler of Hazardous Waste (at your site) Note: A hazardous waste permit may be required for this activity. <input type="checkbox"/> 5. Exempt Boiler and/or Industrial Furnace <input type="checkbox"/> a. Small Quantity On-site Burner Exemption <input type="checkbox"/> b. Smelting, Melting, and Refining Furnace Exemption <input type="checkbox"/> 6. Underground Injection Control		
In addition, indicate other generator activities. (Mark all that apply)					
<input type="checkbox"/> d. United States Importer of Hazardous Waste <input type="checkbox"/> e. Mixed Waste (hazardous and radioactive) Generator					
B. Universal Waste Activities			C. Used Oil Activities (Mark all boxes that apply.)		
1. Large Quantity Handler of Universal Waste (accumulate 5,000 kg or more) [refer to Kansas regulations to determine what is regulated]. Indicate types of universal waste generated and/or accumulated at your site. (Mark all boxes that apply):			1. Used Oil Transporter - Indicate Type(s) of Activity(ies)		
	<u>Generate</u>	<u>Accumulate</u>	<input type="checkbox"/> a. Transporter <input type="checkbox"/> b. Transfer Facility		
a. Batteries	<input type="checkbox"/>	<input type="checkbox"/>	2. Used Oil Processor and/or Re-refiner - Indicate Type(s) of Activity(ies) <input type="checkbox"/> a. Processor <input type="checkbox"/> b. Re-refiner 3. Off-Specification Used Oil Burner 4. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies) <input type="checkbox"/> a. Marketer Who Directs Shipment of Off-Specification Used Oil to Off-Specification Used Oil Burner <input type="checkbox"/> b. Marketer Who First Claims the Used Oil Meets the Specifications		
b. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>			
c. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>			
d. Lamps	<input type="checkbox"/>	<input type="checkbox"/>			
e. Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>			
f. Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>			
g. Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>			
<input checked="" type="checkbox"/> 2. Destination Facility for Universal Waste Note: A hazardous waste permit may be required for this activity.					

11. Description of Hazardous Wastes (See page 11 of the instructions)						
Waste Codes for Federally Regulated Hazardous Wastes. Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more spaces are needed.						
See item	#10 on the	Hazardous	Waste Permit	Information	Form.	
12. Comments (See page 11 of the instructions)						
13. Certification. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. (See page 11 of the instructions)						
Signature of owner, operator, or an authorized representative		Name and Official Title (type or print)			Date Signed (mm/dd/yyyy)	
		Scott Kuhn VP ENVIRON Camp			03/14/2008	

MAIL TO:
KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
BUREAU OF WASTE MANAGEMENT
1000 SW JACKSON, SUITE 320
TOPEKA, KS 66612-1366

ATTACHMENT C

Copy of Email and Work Order

NOBLE, JAMES M

From: NOBLE, JAMES M
Sent: Wednesday, March 12, 2008 12:54 PM
To: Grater, Lee R; ANDERSON, KEITH LYNN
Subject: Wichita Photos

Approximately 50 photos of the facility have now been uploaded and can be viewed at:

I: Wichita/Wichita Photos

They have automatically been re-arranged into alphabetical order, but they are are labeled for clarification.

Matthew Noble
Facility General Manager
Clean Harbors Environmental Services
2549 N New York
Wichita, KS 67219
Office: 316.269.7418
Email: noble.james@cleanharbors.com
Web: www.cleanharbors.com

3/18/2008

**FAX**

DATE: 3/27

TO: Karen

FAX: (785) 625-4005

FROM: Matthew Noble

PHONE: (316) 269-7400

FAX: (316) 269-7455

RE: Work order

history view of the

Karen, I have printed out the [↑]electronic work order form used to notify our personnel of the deficiencies we identify during the inspections.



FAX

DATE: 3/27

TO: Karen

FAX: (785) 625-4005

FROM: Matthew Noble

PHONE: (316) 269-7400

FAX: (316) 269-7455

RE: Work order

Karen, I have printed out the electronic work order form used to notify our personnel of the deficiencies we identify during the inspections.

Inspection Work Ticket

Work Ticket #: 8356

[Hide History](#)

Reason Code: damaged-----damaged equipment

Comment:

Status: Assigned

Status Date: 3/27/2008 5:43:20 PM

Assigned to: NOBLE, JAMES M

Notes: Cracked berm wall -
needs to be repaired / patched

Work Ticket #	Notes	Assigned To	Status	Date	Modified By
8356			New	3/11/2008 2:06:33 PM	

Work Ticket #	Notes	Assigned To	Status	Date	Modified By
8356		NOBLE, JAMES M	Assigned	3/11/2008 2:13:11 PM	

INSWTICKET

Page 1 of 1

Inspection Work Ticket

Work Ticket #: 8356

[Hide History](#)Reason Code:

Comment:

Status:

Status Date: 3/27/2008 3:01:50 PM

Assigned to: Notes:

CLEAN HARBORS, KANSAS, L.L.C.
WEEKLY INSPECTION LOG

P.2/3

TO: 785 625 4005

3162697455

INSPECTION UNIT	BUILDING C:		
INSPECTION ITEM	ELEMENT	STATUS	OBSERVATION/ REMEDIAL WORK ORDERS ISSUED
Container Storage	Labels affixed with generator's name, address, EPA ID#, accumulation start date, EPA Wastecode, DOT shipping name.	(A) / U	
	Incompatible wastes are properly segregated.	(A) / U	
	Lids, bungs closed and secure.	(A) / U	
	Containers: Evidence of leaks, pressure, structural damage, corrosion or deterioration.	(A) / U	
	Containment: Evidence of cracks, gaps, flaking, chips, gouges, and other signs of wear.	(A) / U	

see work ticket # 8356 for cracked berm wall

***** DEFICIENCIES AND CORRECTIONS ARE DETAILED IN THE REFERENCED REMEDIAL WORK ORDERS *****

MAR-27-2008 14:16 FROM:

PHOTOGRAPHIC LOG

Northwest District Office Bureau of Environmental Field Services

Facility Name: CLEAN HARBROS KANSAS LLC.

Address/Location 2549 N. New York, Wichita, KS. 67219 Sedgwick Co.

ID/Permit # KSD 007 246 846

Photos taken by Karen S. Schmidt using a Kodak digital EZ Share CX 7530 camera.

These photos have not been altered except to change the file size.



Photo Number: 1 **Photo File#** 987
Date: 03-18-08 @ 2:50 p.m.
Weather: Partly cloudy, cool
Directions: West, Northwest

Description:

The center and center right of this photo depicts a view of the Process Area (Tanker Bay Area). In the background, center of this photo is depicted the Transfer-to-Truck Area which is situated west of (behind) the Process Area.



Photo Number: 2 **Photo File#** 992
Date: 03-18-08 @ 3:00 p.m.
Weather: Partly cloudy, cool
Directions: Looking west

Description:

This photo was taken of the Process Area beneath the roofed area. Note in the center of photo is the concrete parking lane for tanker trucks to park overnight. The center of the photo also depicts the sump area where precipitation collects, is pumped into drums, labeled as hazardous waste, and stored in Building C. Building C's roofed area can be seen in the background of this photo.

PHOTOGRAPHIC LOG

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Photo Number: 3 **Photo File#**988

Date: 03-18-08 @ 2:51 p.m.

Weather: Partly cloudy, cool

Directions: Process Area

Description:

This photo depicts a view looking up towards the ceiling in the Process Area where deactivated hazardous waste tanks are located.



Photo Number: 4 **Photo File#**990

Date: 03-18-08 @ 2:53 p.m.

Weather: Partly cloudy, cool

Directions: Process Area

Description:

This photo depicts a close up view of one of the many deactivated tanks located near the ceiling in the Process Area. The black hole in the tank represents a large hole which was cut into the tank to deactivate it.

PHOTOGRAPHIC LOG

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Photo Number: 5 **Photo File #** 995

Date: 03-18-08 @ 2:59 p.m.

Weather: Partly cloudy, cool

Directions: Drum Dock

Description:

This photo depicts the Drum Dock area adjacent to Building C. The roofed area is where drums containing hazardous waste are processed and stored for less than 10 days



Photo Number: 6 **Photo File#** 1004

Date: 03-18-08 @ 3:21 p.m.

Weather: Partly cloudy, cool

Directions: Inside Building C

Description:

This photo depicts the hazardous waste in storage inside Building C. In the center of photo, to the left of the cardboard box on the pallet, is a concrete berm which is broken, Violation #1.

PHOTOGRAPHIC LOG

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ID/Permit # KSD 007 246 846

Photos taken by Karen S. Schmidt using a Kodak digital EZ Share CX 7530 camera.

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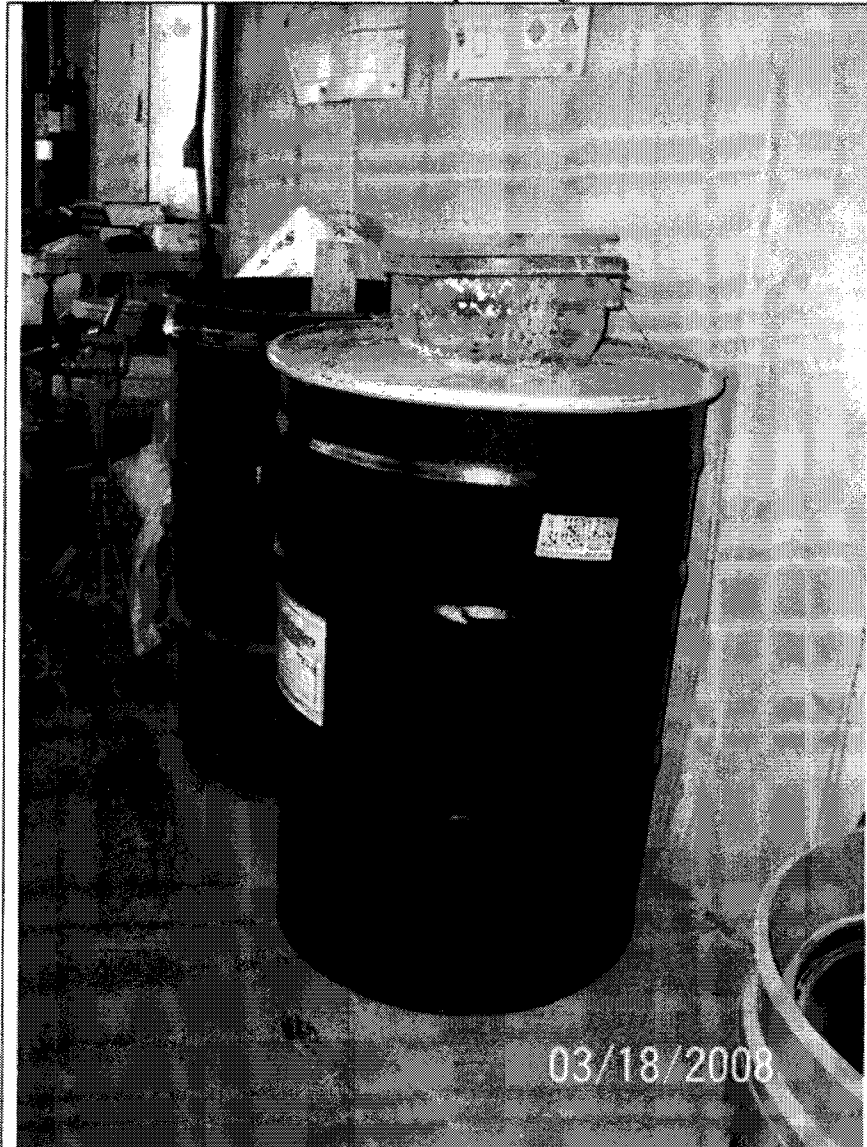


Photo Number: 7 **Photo File#** 999

Date: 03-18-08 @ 3:04p.m.

Weather: Partly cloudy, cool

Directions: Drum Dock

Description:

This photo depicts a view of the 55-gallon satellite drum of hazardous waste PPE being stored in the Drum Dock area adjacent to Building C.

PHOTOGRAPHIC LOG

Northwest District Office Bureau of Environmental Field Services

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ID/Permit # KSD 007 246 846

Photos taken by Karen S. Schmidt using a Kodak digital EZ Share CX 7530 camera.

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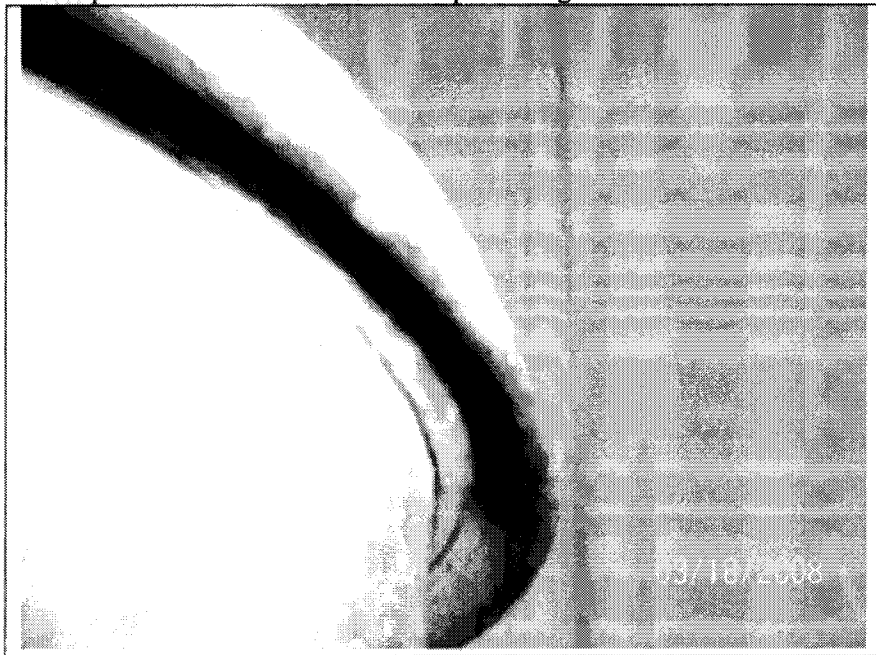


Photo Number: 8 **Photo File#** 1000

Date: 03-18-08 @ 3:04p.m.

Weather: Partly cloudy, cool

Directions: Drum Dock

Description:

This photo depicts a close up view of underneath the lid on the 55-gallon satellite container of hazardous waste PPE located on the Drum Dock. The lid was slightly bent. We recommended that the lid be changed.



Photo Number: 9 **Photo File#** 1004

Date: 03-18-08 @ 3:21 p.m.

Weather: Partly cloudy, cool

Directions: Inside Building C

Description:

This photo depicts a view of the designated storage areas for hazardous waste inside Building C. Observe the concrete berm left of the cardboard box in the photo. This berm was broken. **Violation #1.**

PHOTOGRAPHIC LOG

Northwest District Office Bureau of Environmental Field Services

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Address/Location 2549 N. New York, Wichita, KS. 67219 Sedgwick Co.

ID/Permit # KSD 007 246 846

Photos taken by Karen S. Schmidt using a Kodak digital EZ Share CX 7530 camera.

These photos have not been altered except to change the file size.



Photo Number: 10 **Photo File#** 1002
Date: 03-18-08 @ 3:18 p.m.
Weather: Partly cloudy, cool
Directions: Inside Building C

Description:

This photo depicts a closer view of the broken concrete berm in Building C. Along the right edge of the photo you can see a small part of the cardboard box which contained corrosive hazardous waste. **Violation #1.**



Photo Number: 11 **Photo File#** 1003
Date: 03-18-08 @ 3:18 p.m.
Weather: Partly cloudy, cool
Directions: Inside Building C

Description:

This photo depicts a closer view of the broken concrete berm inside Building C. **Violation #1.**

PHOTOGRAPHIC LOG

Northwest District Office Bureau of Environmental Field Services

Facility Name: CLEAN HARBROS KANSAS LLC.

Address/Location 2549 N. New York, Wichita, KS. 67219 Sedgwick Co.

ID/Permit # KSD 007 246 846

Photos taken by Karen S. Schmidt using a Kodak digital EZ Share CX 7530 camera.

These photos have not been altered except to change the file size.

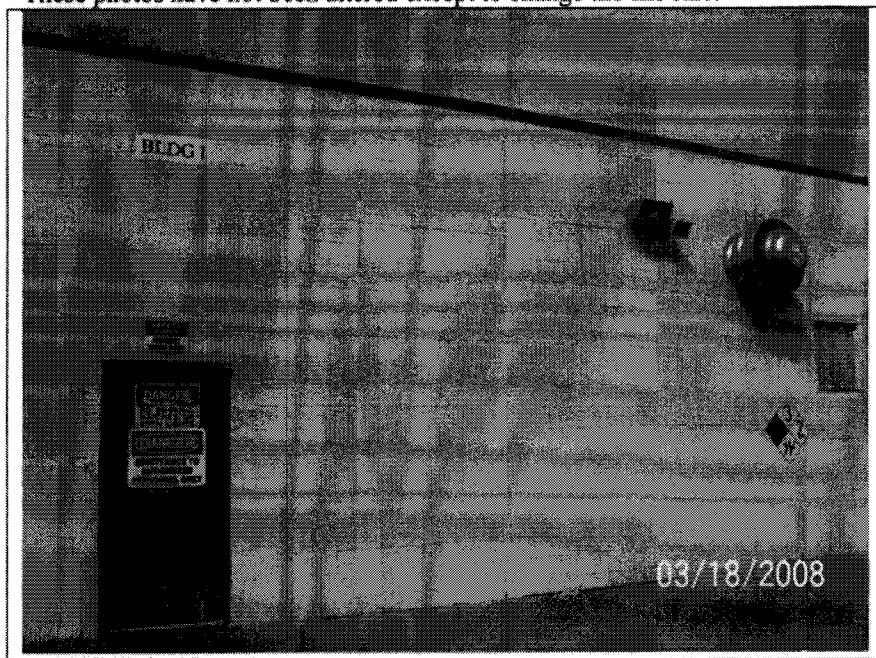


Photo Number: 12 **Photo File#**1009

Date: 03-18-08 @ 3:47 p.m.

Weather: Partly cloudy, cool

Directions: Building I

Description:

This photo depicts a view of Building I which has a leaking roof.

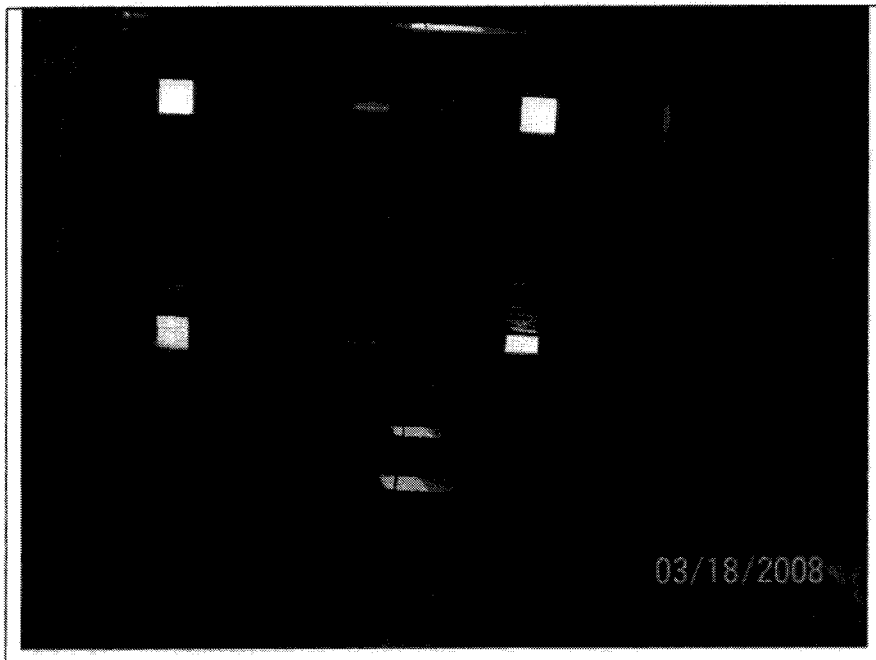


Photo Number: 13 **Photo File#**1003

Date: 03-18-08 @ 3:47p.m.

Weather: Partly cloudy, cool


Directions: Building I

Description:

This photo depicts rainwater which has entered Building I through a leaking roof.



Mostafa Kamal/Kdhe
04/09/2008 11:47 AM

To Karen Schmidt/Kdhe@Kdhe
cc Akhter Hossain/Kdhe@Kdhe, Jim Rudeen/Kdhe@Kdhe
bcc
Subject Re: Clean Harbors Letter of response 

Karen,

In response to Clean Harbors letter of March 31, 2008 we have the following comments and like for you to add to your response letter where indicated.

Broken Concrete Berm: It appears that the facility has completed the necessary tasks for addressing this violation. Nevertheless, the following violations should be noted in your letter with respect to this issue:

- Duty to Comply – I.E.1
- Proper Operation and Maintenance – I.E.6
- Reporting Anticipated Compliance – I.E.11
- Other Non-compliance – I.E.11
- Containment System – III.F

Although there is no recourse for addressing the above violations at this time, these could be potentially used in the event the agency decides to penalize the facility in the future.

Rainwater in Building I: The deactivation of buildings B, D, I and J were approved on March 28, 2006. As a condition of KDHE's approval we required the facility to provide at a 60-day notification prior to putting these units back into use. Permitting staff will be performing the inspection and will have to approve the units for use as hazardous waste storage areas.

After 2+ years Clean Harbors is continuing to have these units in deactivated stage. Therefore, the facility should submit a schedule to reactivate these units shortly. Otherwise, KDHE will require them to start closing these units prior to renewal of this permit.

Thank you in advance for addressing these concerns and/or potential violations. This will hopefully get them off of their reluctant attitude and address the problems promptly. Should you like for me to review and comment on your draft response letter to the facility, please forward a copy.

Mostafa Kamal, PE, CPM
Chief, Hazardous Waste Permits Section
Phone: 785-296-1609
Fax: 785-296-1592
email: mkamal@kdhe.state.ks.us